

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT A. STANARD,

Petitioner,

v.

DEWAYNE HENDRIX, Warden, Federal
Corrections Institution at Sheridan,

Respondent.

Case No. C21-959RSM

ORDER DENYING MOTION FOR
DEFAULT JUDGMENT

This matter comes before the Court on Petitioner Stanard's Motion for a Default Judgment, Dkt. #8. Mr. Stanard argues that Respondent has failed to file a response to his § 2255 Motion within 45 days as ordered by the Court. *See* Dkt. #8; Dkt. #4 ("Order Directing Answer", dated July 21, 2021).

The Court will deny this relief because Respondent did file a timely Response. *See* Dkt. #6, filed September 7, 2021. This Response was filed on the first business day after the 45-day deadline and is considered timely by the Court. *See* LCR 6(a). The Court acknowledges that there may have been a delay in Mr. Stanard receiving a copy of the Response due to his incarceration. In any event, Mr. Stanard has now filed a Reply brief in support of his § 2255 Motion. *See* Dkt. #9.

1 Having reviewed the relevant briefing and the remainder of the record, the Court hereby
2 finds and ORDERS that Petitioner Stanard's Motion for a Default Judgment, Dkt. #8, is
3 DENIED.
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5 DATED this 30th day of September, 2021.
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10 RICARDO S. MARTINEZ
11 CHIEF UNITED STATES DISTRICT JUDGE
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